

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

TIMOTHY BOZUNG, individually and on
behalf of all others similarly situated,

Plaintiff,

V.

CHRISTIANBOOK, LLC,

Defendant.

Hon. Hala Y. Jarbou
Magistrate Judge Ray Kent
Case No. 1:22-cv-00304-HYJ-RSK

**DEFENDANT CHRISTIANBOOK, LLC'S MOTION TO SEAL CERTAIN
REFERENCES IN DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR
RELIEF FROM JUDGMENT PURSUANT TO FED. R. CIV. P. 59(e) & FED. R. CIV. P.
60(b) AND FOR LEAVE TO FILE SECOND AMENDED COMPLAINT PURSUANT TO
FED. R. CIV. P. 15(a) AND CERTAIN EXHIBITS TO TIMOTHY BAZZLE'S
DECLARATION IN SUPPORT THERETO**

Defendant Christianbook, LLC (“Christianbook”) submits this Motion to Seal Certain References in Defendant’s Opposition to Plaintiff’s Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 59(e) & Fed. R. Civ. P. 60(b) and for Leave to File Second Amended Complaint Pursuant to Fed. R. Civ. P. 15(a) (“Opposition”) and Exhibits 2 and 4 to Timothy Bazzle’s Declaration in Support Thereto (“Bazzle Declaration”) contemporaneously with the filing of said declaration.

As grounds for this motion, Christianbook states that the aforementioned exhibits were produced in discovery pursuant to the Confidentiality Agreement and Stipulated Protective Order (“Protective Order”), ECF No. 35, and marked “Confidential” (the “Confidential Documents”). Further, the Opposition includes discussion of the confidential information contained in these Confidential Documents, as well as information contained in other documents that were produced

in discovery and designated “Confidential” pursuant to the Protective Order. This Court previously granted Plaintiff’s Motion to Seal which was based on the same grounds and concerned documents and information the same as or similar to the documents and information Defendant seeks to seal with this motion. *See* ECF No. 62, PageID.1794. Here, Christianbook “has provided good cause for sealing the unredacted [Opposition] and certain exhibits. [Christianbook] has limited its request to seal to those documents[, and references thereto, that] a party has identified as confidential.” *See Encana Oil & Gas, Inc. v. Zaremba Fam. Farms, Inc.*, 2015 WL 12883825, *1 (W.D. Mich. Oct. 15, 2015).

WHEREFORE, Christianbook respectfully requests that the Court grant this motion, ordering that the above-referenced documents and redacted references in the Opposition be filed under seal pursuant to Local Civil Rule 10.6(b) and Paragraph 8 of the Protective Order. *See* ECF No. 35, PageID.1331.

Dated: April 4, 2023

Respectfully submitted,

/s/ Timothy Bazzle

Timothy Bazzle

TBazzle@goodwinlaw.com

Jennifer L. Chunias

JChunias@goodwinlaw.com

Goodwin Procter LLP

100 Northern Avenue

Boston, Massachusetts 02210

Tel.: (617) 570 1000

Fax.: (617) 523 1231

Matthew J. Boettcher

Mboettcher@plunkettcooney.com

Patrick C. Lannen

Plannen@plunkettcooney.com

Plunkett Cooney, PC

38505 Woodward Ave., Ste. 100

Bloomfield Hills, MI 48304

Tel.: (248) 901-4035

Fax: (248) 901-4040

Attorneys for the Defendant

CERTIFICATE OF SERVICE

The undersigned further certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to the non-registered participants this 4th day of April, 2023.

/s/ Timothy Bazzle
Timothy Bazzle